

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

UNITED STATES OF AMERICA

v.

ERIK RODRIGUEZ

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§

CRIMINAL CASE NO. 9:16-CR-15(2)

**ORDER ADOPTING REPORT AND RECOMMENDATION
ON DEFENDANT'S COMPETENCY TO STAND TRIAL**

The Court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, for consideration. Judge Giblin conducted a hearing to determine defendant's competency. After considering the psychological examiners' findings, Judge Giblin filed his report and recommendation on defendant's competency to stand trial. Judge Giblin concluded that the defendant is competent pursuant to 18 U.S.C. § 4241.

The parties have not objected to the magistrate judge's findings and recommendation. The Court **ORDERS** that the report and recommendation on defendant's competency to stand trial [Doc. No. 197] is **ADOPTED**. The Court further **ORDERS** and **FINDS** that, in accordance with the magistrate judge's recommendation and the examiner's report, defendant, Erik Rodriguez, is competent to proceed pursuant to Title 18, United States Code, Section 4241. The Court finally **ORDERS** that Speedy Trial time is **EXCLUDED** from January 11, 2017, the date of Judge Giblin's order directing a mental examination [Doc. No. 139], through the date of this order.

So ORDERED and SIGNED this 10th day of May, 2017.



Ron Clark, United States District Judge